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August 12, 2008

Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States of America v. Salas, et al.
Criminal Docket No. 07-557 (JGK)

Dear Judge Koeltl:

I am counsel for Philip Casanova, a defendant in the above referenced indictment. For the reasons set forth below, I write on behalf of all of the defendants to request that the trial, currently scheduled to commence on September 8, 2008, be rescheduled to on or about November 17, 2008.

I was recently retained to represent Mr. Casanova and after speaking with him, it became clear to me that a trial would likely be unnecessary. As a result, I commenced a dialogue with the attorney for the government, David B. Massey, Esq., and I believe that our discussions may result in a disposition. I have also spoken to the other lawyers involved in the case, Avrom J. Robin and Maurice H. Sercarz, and they have expressed agreement that a trial will likely not be necessary for their clients.

Unfortunately, I do not believe that there is enough time left before the scheduled trial to resolve this matter without the government making a substantial effort to get their case ready. This effort, of course, diminishes the government's incentive to reach an agreement that might otherwise be acceptable to the defense and may also result in the loss of acceptance points. All of the lawyers believe that the additional time is necessary to obtain a result that will be acceptable to all parties.

In addition, I have a personal medical issue that has contributed to my inability to resolve this case in a timely fashion. My wife, Sally, unexpectedly underwent hip replacement surgery on July 31, 2008. And while the operation was a success,

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she is currently going through a painful rehabilitation process. This added responsibility to my family, not surprisingly, has taken time away from my practice and has interfered with my ability to debrief my client and review discovery with him.

Accordingly, I respectfully request that the trial of this matter be rescheduled until on or about November 17, 2008. I have discussed this application with all counsel to ensure that they would be available to try this case, if necessary, during November and all have indicated that they are available to do so. I have also discussed this request with the attorney for the government, and he advises me that the government would be able to try this case during the month of November and that the government does not object to rescheduling the trial.

Finally, I respectfully request that the time period from September 8, 2008 until November 17, 2008, be excluded pursuant to the relevant provisions of the speedy trial act.

Thank you for your consideration in this matter.

Sincerely yours,



Steve Zissou

cc: David B. Massey
Avrom J. Robin
Maurice H. Sercarz